

UNITED STATES PATENT AND TRADEMARK OFFICE

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PAT. & T.M. OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte TRACY D. WILKINS, DAVID M. LYERLY, J. SCOTT MONCRIEF,
DANKA PAVLIKOVA, RACHEL SCHNEERSON and JOHN B. ROBBINS

Application 09/545,772

Order Returning Undocketed Appeal To Examiner

This application was electronically received at the Board of Patent Appeals and Interferences on January 19, 2006. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

On December 30, 2004, the Examiner mailed an Examiner's Answer. This Examiner's Answer contains a new Ground of Rejection, as permitted by 37 CFR § 41.39(a)(2). However, the Examiner's Answer mailed December 30, 2004 is deficient, in that the Examiner's Answer was not signed by a Technology Center Director. See MPEP 1207.03.

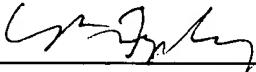
Application No. 09/545,772

Appropriate correction is required.

Accordingly, it is

ORDERED that this application be electronically returned to the Examiner to: 1) have the Technology Center Director approve the new Ground of Rejection in the Examiner's Answer mailed December 30, 2004. If the Technology Center Director does not approve the new Ground of Rejection, the Examiner's Answer must be rewritten without the new Ground of Rejection; 2) mail the revised Examiner's Answer, with the Technology Center Director's signature to appellants if applicable; and 3) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
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